

**REMARKS**

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-24 and 27-30 are pending in the present application. Claims 1, 6, 8, 14 and 19 have been amended by the present amendment.

In the outstanding Office Action, claims 1-24 and 27-30 were rejected under 35 U.S.C. § 112, first paragraph; claims 1, 3, 8, 9, 12-15, 19, 23, 24, 27 and 30 were rejected under 35 U.S.C. § 103(a) as unpatentable over Thiagarajan et al.; claim 2 was rejected under 35 U.S.C. § 103(a) as unpatentable over Thiagarajan et al. in view of Gates et al.; claims 4, 5, 18, 28 and 29 were rejected under 35 U.S.C. § 103(a) as unpatentable over Thiagarajan et al. in view of McGee et al.; and claims 6, 7 and 20-22 were rejected under 35 U.S.C. § 103(a) as unpatentable over Thiagarajan et al. in view of Berger et al.

Regarding the rejection of claims 1-24 and 27-30 under 35 U.S.C. § 112, first paragraph, the rejected feature has been removed from independent claims 1 and 14. Accordingly, it is respectfully requested this rejection be withdrawn.

Claims 1, 3, 8, 9, 12-15, 19, 23, 24, 27 and 30 were rejected under 35 U.S.C. § 103(a) as anticipated by Thiagarajan et al. This rejection is respectfully traversed.

Amended independent claim 1 includes a combination of elements and has been amended to clarify that the upload/download controlling part is configured to receive the broadcasting program intended to record from the channel demodulating part, to store the broadcasting program in the storage medium, to initialize identifying information for identifying a success of recording of the broadcasting program intended to record in response to an external recording

signal, to control reproduction of the broadcasting program stored in the storage medium in response to an external recording/reproduction signal, to change the identifying information if the recording of the broadcasting program intended to record is successful, and to control the EPG parsing part. Claim 1 has also been amended to clarify that the re-recording processing part configured to store the identifying information and information on the broadcasting program intended to record, and to identify the identifying information, to request re-transmission of the broadcasting program intended to record through a network when the identification information is not changed. Independent claim 14 includes similar features in a varying scope.

Therefore, the present invention is particularly advantageous, because the present invention allows the receiver to correctly identify the success or failure of recording when the identifying information is not able to be assigned (e.g., when an irregular writing stop or writing failure takes place due to a blackout). Also, the present invention requests re-transmission of the broadcasting program intended to record through a network when the identification information is not changed. Therefore, the receiver can identify the broadcasting program intended to be re-transmitted faster.

On the contrary, Thiagarajan et al. discloses that any number and combination of key elements can be combined to form a unique program composite key for comparison to similar program elements in EPG data to thereby determine whether the program will be re-broadcast (see paragraph [0050]) and that a completion event is created if a time difference between when the program broadcast started and when the incomplete program recording started is greater than a missed-recording time limit (see paragraph [0062]). However, Thiagarajan et al. fails to teach or suggest initializing identifying information and changing the identifying information if the

recording of the broadcasting program intended to record is successful. Thiagarajan et al. also does not teach or suggest requesting re-transmission of the broadcasting program intended to record through a network when the identification information is not changed.

Accordingly, it is respectfully submitted independent claims 1 and 14 and each of the claims depending therefrom patentably define over Thiagarajan et al.

Claims 6, 7 and 20-22 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Thiagarajan et al. in view of Berger et al. This rejection is respectfully traversed.

As discussed above, Thiagarajan et al. does not teach or suggest the features recited in corresponding independent claims 1 and 14. Further, Berger et al. discloses that a “result” may indicate the result of the particular event, such as success or failure of the event, and in one example, a record 1 result has been assigned a value “1” by an auditing program, which may indicate that the particular event of record 1 was successful (e. g, a value of “0” may indicate that the particular event was unsuccessful) (see paragraph [0056]). That is, Berger et al. discloses that an auditing program assigns the result of the particular event to a “result”. Thus, combining Berger et al. with Thiagarajan et al. also does not teach or suggest the claimed invention.

Further, regarding the additional rejections of the claims under 35 U.S.C § 103(a) noted in the Office Action, it is respectfully submitted these rejections have also been overcome as the claims rejected therein are dependent claims and the additional applied references also do not teach or suggest the claimed features of the present invention.

**Conclusion**

In view of the above remarks, it is believed that claims are allowable.

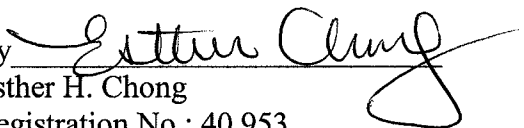
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact David A. Bilodeau Reg. No. 42,325 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By

  
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